

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-10 remain in this application of which claims 7-10 are allowed. Claims 1-6, as amended herein, are submitted for Examiner's reconsideration.

In the Office Action, claims 1-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hite (U.S. Patent No. 5,805,975) in view of "The Authoritative Dictionary of IEEE Standard Terms", 7th Ed, pages 574-575. Applicants submit that the claims are patentably distinguishable over the cited references.

For example, claim 1 as amended calls for:

main control means for receiving a request for a particular program or channel, for generating a control command based on the request, the control command using a predefined command set and being independent of each one of the plurality of different kinds of transmission media and a reception zone where said receiving and demodulating means is used, and for transmitting the control command to said receiving and demodulating means using a common communication protocol[.] (Emphasis added.)

The relied-on sections of Hite do not disclose or suggest a control command that is independent of each one of a plurality of different kinds of transmission media.

Rather, the relied-on sections of Hite describe a remote control receiver 590 that receives signals from a remote controller 584 and conveys the signals to a microcontroller 550. (See col.10 11.60-64.) As pointed out by the Examiner, the remote control receiver 590 uses a command set that is not dependent on the type of transmission medium only when there is one type of transmission medium. The relied-on sections of Hite neither discloses nor suggests that the remote control receiver 590 uses a command set that is independent of the type of transmission medium when there is more than one type of

transmission medium.

The cited section of "The Authoritative Dictionary of IEEE Standard Terms" does not address the deficiencies of the relied-on sections of Hite.

It follows that neither the relied-on sections of Hite nor the relied-on section of "The Authoritative Dictionary of IEEE Standard Terms", whether taken alone or in combination, discloses or suggests the receiving apparatus defined in claim 1, and claim 1 is therefore patentably distinct and unobvious over the cited references.

Claims 2-4 depend from claim 1 and are distinguishable over the cited art for at least the same reasons.

Claims 5-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hite in view of "The Authoritative Dictionary of IEEE Standard Terms" and further in view of Na (U.S. Patent No. 6,366,731). Applicants submit that the claims are patentably distinguishable over the cited references.

Claim 5 depends from claim 1 and is distinguishable over the relied-on sections of Hite and the relied-on section of "The Authoritative Dictionary of IEEE Standard Terms" for at least the same reasons.

Independent claim 6 includes limitations similar to those set out in claim 1. Claim 6 is therefore distinguishable over the relied-on sections of Hite and the relied-on section of "The Authoritative Dictionary of IEEE Standard Terms" at least for the same reasons.

The relied-on section of Na does not remedy these deficiencies.

Applicants therefore respectfully request the withdrawal of rejections under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is

respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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